

**Notice of Allowability**

Application No.

10/692,169

Examiner

CUONG H. NGUYEN

Applicant(s)

BODIN ET AL.

Art Unit

3661

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to \_\_\_\_.
2. ☒ The allowed claim(s) is/are 1-33; formal drawings are accepted.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_

CUONG H. NGUYEN  
Primary Examiner  
Art Unit: 3661

***DETAILED ACTION***

1. This Office Action is the answer to an amendment received on 11/13/2006.
2. Claims 1-33 are pending in this application.

***Drawings***

3. This application has been filed with formal drawings which are acceptable.

***Allowable Subject Matter & Reason for Allowance***

4. Independent claims 1, 12, and 23 are considered non-obvious over cited references of Bodin et al. (US Publication 20050090972 A1), in view of Nichol et al. (US Pat. 5,986,604), because these references do not anticipate about disclosing a system and a method for navigating an unmanned aerial vehicle (UAV), comprising:

- means for receiving in a remote control device a user's selection of a GUI map pixel that represents a waypoint for UAV navigation, the pixel having a location on the GUI; and means for mapping the pixel's location on the GUI to Earth coordinates of the waypoint.

Bodin et al.'s reference cannot be used to reject this pending invention because of the same assignee. This reference discloses an unmanned aerial vehicle navigating method, involves reading starting position of vehicle from receiver on vehicle, and piloting vehicle from starting position to waypoint, based on navigation algorithm. The method involves receiving a user's selection of a map pixel representing a waypoint for unmanned aerial vehicle navigation, at a remote control device. The pixel is mapped to waypoint coordinates, and the waypoint is transmitted to the UAV. A starting position of the UAV, is read from a GPS receiver on the UAV, and the UAV is piloted from the starting position to the waypoint, based on a navigation algorithm.

Nichols et al. teach a survey coordinate transformation method for map-aided navigation system using a selected sum of magnitude of difference between the coordinates of previously surveyed location in second coordinate, and the result of applying the transformation to the previously surveyed location in first coordinate is generated. The adjustable parameter is chosen to minimize the selected sum. This way gives determination in survey locations with greater accuracy. This invention is not in the same field of endeavor.

5. Dependent claims 2-11, 13-22, and 24-33 are allowable since they are dependent on claims 1, 12, and 23.

### ***Conclusion***

6. Claims 1-33 are patentable.

7. Note: On page 22, 2<sup>nd</sup> para. of the Response dated 11/13/2006. the applicants argue at length about the specification's background was used by the examiner to characterize the invention. The law permits the examiner to use Applicant Admitted Prior Art (anything in the disclosure) to examine the current status of the art of this field of application; nothing is wrong in using that disclosed background to justify there is a significant improvement in UAV field (because that what was supplied to the examiner to see an implementation – if not relying on that disclosure, the examiner MUST request a submission (PTO- 1.105) of prior art from the applicants since they implement the invention from what they already know, especially that an examiner is ONLY allocated a small amount of time to search for prior art; therefore, what the applicants disclose are always helpful to pinpoint what the improvement is all about).

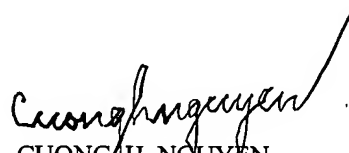
8. Any inquiry concerning this communication or earlier communications from the

examiner should be directed to CUONG H. NGUYEN whose telephone number is 571-272-6759 (email address: cuong.nguyen@uspto.gov). The examiner can normally be reached on 9:30 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THOMAS G. BLACK can be reached on 571-272-6956. The Rightfax number for the organization where this application is assigned is 571-273-6956.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Please provide support, with page and line numbers, for any amended or new claim in an effort to help advance prosecution; otherwise any new claim language that is introduced in an amended or new claim may be considered as new matter, especially if the Application is a Jumbo Application.

  
CUONG H. NGUYEN  
Primary Examiner  
Art Unit 3661